REMARKS

By this amendment, claims 1, 3-14, 16-27, and 29-41 are pending, in which claims 2, 15, and 28 are canceled without prejudice or disclaimer, and claims 1, 14, 27, 40, and 41 are currently amended. No new matter is introduced.

The Office Action mailed April 10, 2006 rejected claims 1-41 under 35 U.S.C. § 103(a) as obvious based on *Gao et al.* (US 6,707,890 B1) in view of *Chou et al.* (US Patent App. Pub. 2004/0121762 A1).

To expedite prosecution, Applicant has amended independent claims 1, 14, 27, 40 and 41 to incorporate the subject matter of dependent claims 2, 15, and 28 (now canceled). As amended, claims 1 and 14 recite "retrieving message waiting indication information from a plurality of voice mail systems designated by a user . . . wherein the instant communication client **displays the plurality of message waiting indication information concurrently.**" Amended claim 27 recites "a gateway configured to retrieve message waiting indication information from a plurality of voice mail systems . . . wherein the instant communication client **displays the plurality of message waiting indication information concurrently.**" Claim 40 now recites "aggregating message waiting indication information from a plurality of voice mail systems for notifying a user of presence of **a plurality of voice mail messages** resident on the voice mail systems; and transmitting a notification message over the data network to an instant communication client based upon the aggregated message waiting indication information, wherein the notification message **concurrently specifies the presence of the voice mail messages to the instant communication client.**" Amended claim 41 recites "means for aggregating message waiting indication information from a plurality of voice mail systems for notifying a user of presence of **a plurality of voice mail messages** resident on the voice mail systems; and means for transmitting

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a notification message over the data network to an instant communication client based upon the aggregated message waiting indication information, wherein the notification message **concurrently specifies the presence of the voice mail messages to the instant communication client.**"

The Office Action, on page 3, applies *Gao et al.* for supposedly teaching the above features, citing Fig. 1 and col. 3, lines 1-15. Applicant submits that this is not possible in the *Gao et al.* system, as the Examiner acknowledges (page 3 of the Office Action) that *Gao et al.* fails to disclose a plurality of voice mail systems. This cited passage states the following (Emphasis Added):

> Preferably, enhanced notification server 130 includes microprocessor 134. Microprocessor 134 is preferably adapted to provide a number of functionalities. For example, in a preferred embodiment of the invention, enhanced notification server 130 can query instant messaging presence server 150 whether instant messaging client 160 is available. For example, enhanced notification server 130 can query instant messaging presence server 150 whether instant messaging client 160 (voicemail subscriber) has an active instant messaging session. **If instant messaging client 160 is available, enhanced notification server 130 forwards the notification to instant messaging client 160.** The notification is preferably forwarded via IP network 140 and instant messaging presence server 150 through links 142, 152, and 132.

The fact that client 160 is able to receive the notification does not permit the Examiner to take the technical leap that the reference teaches that the client 160 can notifications from multiple voice mail systems (which do not exist) in the manner claimed. Such technical leap has no grounding in fact or law.

Moreover, the secondary reference of *Chou et al.*, likewise, provides no disclosure of "**displays** the plurality of message waiting indication information **concurrently**." *Chou et al.* describes, on paragraph [0081], that "the text notification may include information such as which of a number of user-assigned mailboxes the message is from, the identity of the caller, the length, subject matter and urgency of the message...."

With the "single key operation," the mobile phone would not be provided with a capability to **display concurrently** the message indication information, as this access means initiates a live telephone link to the VMS for serially obtaining the notification (see e.g., paragraphs [0076], [0077] and [0083]. *Chou et al.* explains that "[s]ince live telephone links for the various mailboxes are pushed to the client device, the system provides a unified and efficient mechanism for retrieving voice messages from different mailboxes" (paragraph [0079]). This "unified" approach, in fact, would appear to teach away the claimed feature of "**displays** the plurality of message waiting indication information **concurrently**."

Applicant respectfully submits that a *prima facie* case of obviousness has not been established, and urges the indication that independent claims 1, 14, 27, 40, and 41 be allowed.

Also, dependent claims 3-13, 16-26, and 29-39 are allowable, at least in part, from their respective dependencies on independent claims 1, 14, and 27, as well as on their own merits. For example, dependent claim 3 recites, "wherein the instant communication client is **among a plurality of instant communication clients**, the method further comprising: forwarding the message waiting indication information **to one or more of the instant communication clients**." To meet the above features, the Office Action, on pages 3-4, applies *Gao et al.* citing Fig. 1 and col. 3, lines 1-15. However, the Examiner overlooks that fact that *Gao et al.* teaches a single instant messaging client. There is simply no support within *Gao et al.* for a plurality of instant communication clients, much less in the claimed manner. The cited passage of col. 3, lines 1-15 discloses the following (Emphasis Added):

> Preferably, enhanced notification server 130 includes microprocessor 134. Microprocessor 134 is preferably adapted to provide a number of functionalities. For example, in a preferred embodiment of the invention, enhanced notification server 130 can query instant messaging presence server 150 whether **instant messaging client 160 is available**. For example, enhanced notification server 130 can query instant messaging presence server 150 whether **instant messaging client 160 (voicemail subscriber) has an active instant messaging session**. If

instant messaging client 160 is available, enhanced notification server 130 forwards the notification **to instant messaging client** 160. The notification is preferably forwarded via IP network 140 and instant messaging presence server 150 through links 142, 152, and 132.

Moreover, Figs. 1 and 2 illustrate a single IM client 160 further evidencing that *Gao et al.* fails to teach "a plurality of instant communication clients." In this respect, the secondary reference of *Chou et al.* does not cure the deficiencies of *Gao et al.* *Chou et al.* is silent with respect to any instant communication client.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date
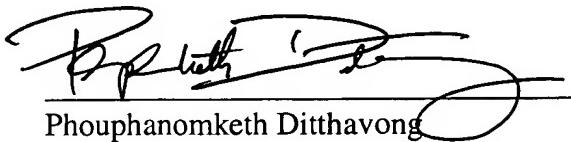
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